

**QUARTERLY FEDERAL COURT
LITIGATION STATUS REPORT**

Office of the General Counsel
Bureau of Competition
Bureau of Consumer Protection
Regional Offices

December 31, 2001

No. 71

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SUMMARY OF CASES

	D. Ct.	Ct. App. ¹	S. Ct.	Total
PETITIONS FOR REVIEW		1		1
INJUNCTION AND CONSUMER REDRESS CASES	71	9	1	81
CIVIL PENALTY AND ENFORCEMENT CASES	8	1		9
SUBPOENA AND CID ENFORCEMENTS		2		2
SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION	4	1		5
AMICUS CURIAE BRIEFS	1	1	1	3
TOTALS	84	15	2	101

¹ Includes all cases in which appellate proceedings have taken place during the reporting period or are pending; these cases are not counted in the District Court column, even if such proceedings are going on simultaneously.

PETITIONS FOR REVIEW

A) Orders to Cease and Desist

TRANS UNION, LLC v. FTC, No. 00-1141 (D.C. Cir.)

Party: Trans Union, LLC

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Petition for review of FTC's order to cease and desist from violating the Fair Credit Reporting Act in connection with the sale of target marketing lists.

Status: Petition for review filed 4/3/00.
Petitioner's brief filed 9/11/00.
Commission's brief filed 10/27/00.
Petitioner's reply brief filed 11/17/00.
Argument held 2/6/01.
Petition for review denied 4/13/01.
Petition for rehearing *en banc* filed 5/25/01.
Commission's response filed 6/21/01.
Plaintiff's supplemental brief filed 7/27/01.
Commission's supplemental brief filed 8/15/01.
Petition for rehearing and rehearing *en banc* denied 10/23/01.

B) Rulemakings

(None pending)

INJUNCTION AND CONSUMER REDRESS CASES

(A) Preliminary Injunctions (Mergers/Acquisitions)

FTC v. H.J. HEINZ COMPANY, No. 1:00 CV 01688 (D.D.C.); No. 00-5362 (D.C. Cir.)

Parties: H.J. Heinz Company
Milnot Holding Corporation

Assigned Attorneys: Richard Dagen (BC)
David C. Shonka (OGC)

Alleged Conduct: Violation of Sections 7 and 11 of the Clayton Act, arising from the merger of two baby food companies.

Status: Complaint filed 7/14/00.
Hearing held 9/4-9/8/00, 9/21/00.
Motion for preliminary injunction denied 10/18/00.
Commission's motion for district court injunction pending appeal filed 10/19/00.
Commission's notice of appeal filed 10/19/00.
Motion for injunction pending appeal denied 10/19/00.
Commission's emergency motion for court of appeals injunction pending appeal and for expedited appeal filed 10/23/00.
Order granting injunction pending appeal entered 11/8/00.
Expedited appeal ordered 11/9/00.
Commission's appellate brief filed 11/29/00.
Appellees' answering brief filed 12/29/00.
Commission's reply brief filed 1/10/01.
Argument held 2/12/01.
Decision of Court of Appeals reversing district court and remanding for entry of preliminary injunction entered 4/27/01.
Mandate to district court issued 6/20/01.
Commission's motion for judgment on the mandate filed 9/5/01.
Denial of preliminary injunction entered 10/4/01.
Case dismissed as moot 10/4/01.

(B) Preliminary Injunctions (Other)
(None pending)

(C) Permanent Injunctions/Consumer Redress²

FTC v. 1263523 ONTARIO, INC., No. 99 CV 8679 (S.D.N.Y.)

Parties: 1263523 Ontario, Inc., d/b/a Consumer Credit Services
Lloyd C. Prudenza
David S. Wells
Donald M. Davies

Assigned Attorney: Carole Paynter (NER)

Alleged Conduct: Deceptive practices in connection with the telemarketing of advance fee credit cards in violation of Section 5 and the Telemarketing Sales Rule.

Status: Complaint filed 8/5/99.
TRO with asset freeze entered 8/9/99.
Commission's motion for default against the defendants filed 3/1/00.
Clerk entered default against defendants, 5/9/00.
Motion for default judgment filed 1/11/01.

² Unless otherwise noted, cases involve suits for permanent injunction and other equitable relief. Post-judgment proceedings in district court are not generally reported.

FTC v. 1268957 ONTARIO INC., No. 1:01-CV-0423-JEC (N.D. Ga.)

Parties: 1268957 Ontario Inc.
1371772 Ontario Inc.
both d/b/a National Domain Name Registry and Electronic Name
Monitoring
Darren J. Morgenstern

Assigned Attorneys: Stephen L. Cohen (BCP/MP)
Catherine Harrington-McBride

Alleged Conduct: Deceptive practices in violation of Section 5, in connection with the sale
of domain name monitoring services.

Status: Complaint filed and ex parte TRO with asset freeze entered 2/13/01.
Stipulated preliminary injunction filed 3/20/01; entered 3/21/01.

FTC v. 1306506 ONTARIO LIMITED, No. 00-CV-0906A (W.D.N.Y.)

Parties: 1306506 Ontario Limited
T.S.I. Service Corp.
Vinny Bubic
Errol Alexander

Assigned Attorneys: David A. O'Toole (MWR)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales
Rule in connection with the sale of credit card loss protection services.

Status: Complaint filed and ex parte TRO with asset freeze entered 10/23/00.
Preliminary injunction entered 11/2/00.
Answers of corporate defendants struck 4/30/01.
Motion to compel filed 5/18/01.
Commission's motion to compel granted 7/10/01.
Commission's motion for summary judgment against all defendants filed
9/14/01.
Motion for summary judgment granted 11/26/01.

FTC v. 9094-5486 QUEBEC, No. 01-CV-1872 (TJM RFT) (N.D.N.Y.)

Parties: 9094-5486 Quebec, Inc., d/b/a Consumer Resource Services
Robin Gear
Nando R. Caporicci, a/k/a Robert Caporicci

Assigned Attorneys: Elizabeth M. Grant (BCP/MP)
Delores G. Thompson

Alleged Conduct: Deceptive and unfair practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with an online and telemarketing
scam.

Status: Complaint for injunction and other equitable relief and TRO filed
12/10/01; TRO entered 12/10/01.
Preliminary injunction hearing set for 1/25/02.

FTC v. A AAAAUTO CAR BROKERS, INC., No. CV-S-01-1244-RLH-lrl (D. Nev.)

Parties: A AAAAuto Car Brokers, Inc.
AAA Anytime, Inc., d/b/a Anywhere Anytime Auto Brokers, Inc.
Katherine Ann Carter

Assigned Attorneys: Jerome M. Steiner, Jr. (WR-SF)
Dean Graybill

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the
marketing and sale of auto transportation services.

Status: Complaint filed 10/23/01.
Stipulated final order for permanent injunction and settlement of claims
for consumer redress entered 10/29/01.

FTC v. AFFORDABLE MEDIA, LLC, No. 01-598 (S. Ct.); Nos. 98-16378, 00-15644, 00-15730 (9th Cir.); No. CV-S-98-669-LDG (RLH) (D. Nev.)

Parties:	Affordable Media, LLC	Ruth Stein, a/k/a Ruth Garcia
	Financial Growth Consultants, LLC	Denyse Lindaalyce Anderson
	Sterling Multi-Media Co.	Michael K. Anderson
	Venture Capitalization Co.	George John McWilliams
	Eric Steven Stein	Edward James Hally
	Ina Liberty Bell	Walter Lawson (proposed intervenor)

Assigned Attorneys: Gregory Ashe (BCP/ENF)
Michele Arington (OGC)
Blaine T. Welsh (AUSA)

Alleged Conduct: Telemarketing fraud amounting to a Ponzi scheme, involving the sale of “media units” ostensibly representing television commercials.

Status:

- Complaint filed and TRO entered 4/23/99.
- Preliminary injunctions entered as to all defendants, 5/8/98 and 5/22/98.
- Anderson defendants found in contempt as to foreign assets, 6/4/98.
- Anderson defendants taken into custody due to contempt, 6/17/98.
- Notice of appeal filed by Andersons 7/21/98; appeal argued 1/13/99; decision affirming the district court's preliminary injunction and contempt order as to Andersons entered 6/15/99.
- Motion for entry of default against defendants E. Stein and Affordable Media filed 12/28/98; judgment by default entered 2/2/99.
- Chapter 13 bankruptcy filed by defendants Bell and R. Stein, 2/10/99; FTC motion to dismiss or convert to Ch. 7 proceedings, filed 3/26/99; order granting FTC's motion to dismiss entered 5/27/99.
- Stipulated final judgment and permanent injunction (including bond provision) as to defendants McWilliams, Hally, Venture Capitalization, and Sterling Multi-Media entered 3/19/99.
- Motion for summary judgment as to remaining defendants filed 3/15/99.
- Motion to intervene filed by Walter Lawson, 4/12/99; denied 3/20/00.
- Stipulated final judgment (including bond provision) as to defendants Bell and R. Stein filed 6/16/99; entered 6/18/99.
- Motion to modify preliminary injunction to allow Andersons' assets to be frozen in the Cook Islands as an alternative to repatriation, in response to order of the High Court of the Cook Islands freezing such assets filed 9/23/99.
- Order granting motion to modify preliminary injunction and purging the Andersons of contempt entered 9/23/99.
- Order granting motion for summary judgment as to the remaining defendants entered 3/20/00.

Notice of appeal (No. 00-15644) filed by Lawson, 3/30/00.
Notice of appeal (No. 00-15730) filed by M. and D. Anderson, 4/6/00.
Motion to consolidate appeals filed by Commission, 5/25/00; granted
6/12/00.
Motion for stay of permanent injunction pending appeal filed 7/17/00;
denied 8/11/00.
Appellants M. and D. Anderson's brief filed 11/13/00.
Appellant Lawson's brief filed 11/22/00.
Appellee FTC's brief filed 1/12/01.
Appellant Lawson's reply brief filed 1/26/01.
Appellants M. and D. Anderson's reply brief filed 2/15/01.
Court of Appeals memorandum decision affirming district court's grant of
summary judgment entered 5/30/01.
Lawson's petition for certiorari filed (sub nom *Lawson v. FTC*), 8/28/01.
Petition for certiorari denied 11/26/01.

FTC v. ANDREWS, No. 6:00-cv-1410-ORL-28b (M.D. Fla.)

Parties:	Anthony W. Andrews Tracy A. Andrews TNT Talks, Inc., d/b/a Advanced Consumer Services Least Cost Utilities, Inc., d/b/a Advanced Consumer Services
Assigned Attorneys:	Ann F. Weintraub (NER) Sandra W. Cuneo Michele Stolls
Alleged Conduct:	Violations of Section 5 and the Telemarketing Sales Rule in connection with telemarketing and billing for credit card protection services.
Status:	Complaint filed and ex parte TRO with asset freeze and receiver entered 10/23/00. Stipulated preliminary injunction filed and entered 11/2/00.

FTC v. AUCTIONSAYER, LLC, No. 00 CV 2125 (S.D. Cal.)

Parties: Auctionsaver, LLC
Richard Phim
Carmen Lee Caldwell
Shade Delmer, a/k/a Shane Delmer
Naomi Ruth Anderson

Assigned Attorneys: John D. Jacobs (WR-LA)
Barbara Y. K. Chun

Alleged Conduct: Deceptive practices in violation of Section 5 and the Mail or Telephone Order Merchandise Rule, in connection with the sale of computers and electronic equipment over the Internet.

Status: Complaint filed 10/20/00.
Default against defendant Auctionsaver, LLC entered by the clerk, 1/9/01.
Order authorizing service for summons by publication on defendant Richard Phim entered 9/12/01.

FTC v. AUTOMATED TRANSACTION CORP., No. 00-7599-CIV-HURLEY (S.D. Fla.)

Parties: Automated Transaction Corp.
WWW Provider Co.
Edward S. Lipton
World Telnet, Inc.
Donald Tetro

Assigned Attorneys: Seena D. Gressin (BCP/MP)
Russell S. Deitch
Leslie R. Melman (OGC)

Alleged Conduct: Deceptive and unfair practices in violation of Section 5 in connection with unauthorized billing of adult-content internet and audiotext services.

Status: Complaint filed 10/25/00.
Ex parte TRO with asset freeze and receiver entered 10/26/00.
Stipulated preliminary injunction filed and entered 11/8/00.
Stipulated judgment and order for permanent injunction and other equitable relief as to defendant Edward Lipton filed 11/15/01.
Stipulated judgment and order for permanent injunction and other equitable relief as to defendant Donald Tetro filed 11/15/01.
Notice of appeal from orders regarding receivership filed 12/3/01.

FTC v. BARGAINS AND DEALS MAGAZINE, No. 01-CV-1610 (W.D. Wash.)

Parties: Bargains and Deals Magazine LLC, also d/b/a Keith's Wholesale,
Bargains and Deals Wholesale
Michael P. Casey

Assigned Attorney: Nadine Samter (NWR)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Mail Order Rule in connection with the sale of merchandise in its catalogs.

Status: Complaint for permanent injunction and other equitable relief filed 10/11/01.
Motion for TRO, order freezing assets, limited expedited discovery of motion and for order to show cause why preliminary injunction should not issue filed 10/11/01; entered 10/11/01.
Stipulated preliminary injunction filed 11/1/01; entered 11/2/01.

FTC v. BLUMSTEIN, No. 01-CV-8987 (S.D.N.Y.)

Parties: Evan Blumstein
Kenneth Finney
Pathway Merchandising, Inc.
Four Vend, Inc., d/b/a IV Vend, IV Vending, Inc., For Vend and For Vend Inc.

Assigned Attorneys: Larissa L. Bungo (ECR)
Dana C. Barragate
Brenda W. Doubrava

Alleged Conduct: (Ditch the Pitch) Deceptive practices in violation of Section 5 and the Franchise Rule in connection with the offer and sale of vending machine business ventures.

Status: Complaint for injunctive and other equitable relief filed 10/9/01.
Stipulated preliminary injunction entered 10/22/01.

FTC v. CANADA PREPAID LEGAL SERVICES, INC., No. 00-CV-2080 Z (W.D. Wash.)

Parties: Canada Prepaid Legal Services, Inc., d/b/a BSI Premium Bonds
David John Edwin Hyde
Joseph Shawn Proulx
E.R.S. Holdings Ltd.
Neil John Schuler
ITH Enterprises Ltd.
Kailey Lewis Babuin
NAGG Holdings Ltd.
Wayne Weis
Timothy Ryan Babuin
557631 B.C. Ltd., d/b/a Guaranteed Capital Holdings
Fernando Villagran
Calgary Concrete and Home Improvement Corp., d/b/a Union Global
Trading
Martin Roy Lamb

Assigned Attorneys: Mary Benfield (NWR)
Charles Harwood
Eleanor Durham

Alleged Conduct: Deceptive and unfair practices in violation of Section 5 and the
Telemarketing Sales Rule in connection with the sale of savings bonds.

Status: Complaint filed and ex parte TRO with asset freeze and receiver entered
12/11/00.
TRO extended as to eight defendants, 12/21/00.
Preliminary injunction as to four defendants entered 12/29/00.
Preliminary injunction as to eight other defendants entered 1/19/01.
Motion to amend preliminary injunctions filed 2/20/01; granted 3/27/01.
Answer by defendant Wayne Weiss filed 3/31/01.
Answer by defendant Neil Schuler filed 5/24/01.
Request for entry of default as to David Hyde; ERS Holdings, Ltd.; ITH
Enterprises, Ltd.; NAGG Holdings, Ltd.; Fernando Villagran;
Guaranteed Capital Holdings; Martin Lamb; and Union Global
Trading filed 6/19/01.
Order for entry of default to above-mentioned defendants entered 6/26/01.
Default as to Kailey Babuin entered 11/19/01.

FTC v. CAPITAL CARD SERVICES, No. CIV 00 1993 PHX EHC (D. Ariz.)

Parties: Capital Card Services, Inc.
Cory M. Harris

Assigned Attorneys: Jerome M. Steiner, Jr. (WR-SF)
Raymond E. McKown (WR-LA)
Suzanne Chynoweth (AUSA)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of credit card loss protection services.

Status: Complaint filed and ex parte TRO with asset freeze entered 10/23/00.
Stipulated preliminary injunction with continuing asset freeze entered 11/8/00.
Stipulation for entry of final judgment and order for permanent injunction against Capital Card Services, Inc. and Cory M. Harris filed 7/13/01; entered 8/23/01.

FTC v. CAPITAL CITY MORTGAGE CORP., Civ. No. 98-237 (D.D.C.)

Parties: Capital City Mortgage Corp.
Eric J. Sanne
Thomas K. Nash

Assigned Attorneys: Bradley H. Blower (BCP/FP)
Sandra M. Wilmore
Alain H. Sheer
Laura Berger

Alleged Conduct: Violations of Section 5, the Truth in Lending Act, the Fair Debt Collection Practices Act, and the Equal Credit Opportunity Act by “subprime” mortgage lender.

Status: Complaint filed 1/28/98.
Defendants’ motion for summary judgment denied 7/13/98.
Defendants’ motion for protective order limiting discovery denied 8/28/98.
Amended complaint adding defendant filed 3/11/99.
Separate motions for partial summary judgment filed by the Commission and the defendants, 1/21/00.
Commission’s motion for partial summary judgment granted in part, denied in part, 10/10/00.
Final pretrial conference set for 3/7/02.
Trial scheduled for 3/25/02.

FTC v. CAREER NETWORK, INC., No. 2:01-CV-001-JM (N.D. Ind.)

Parties: Career Network, Inc.
Walter Turulis
Kathleen Key

Assigned Attorneys: Gregory A. Ashe (BCP/ENF)
Angela T. Floyd

Alleged Conduct: Deceptive practices in violation of Section 5, in connection with the sale of employment goods and services.

Status: Complaint filed 1/3/01.
Stipulated final order against defendant Kathleen Key filed 4/11/01; entered 4/12/01.
Stipulated final order for permanent injunction and settlement of claims as to defendants Career Network, Inc. and Walter Turulis filed 10/12/01; entered 10/16/01.

FTC v. CHRISTOPHER ENTERPRISES, INC., No.2:01 CV-0505 ST (D. Utah)

Parties: Christopher Enterprises, Inc.
Norman Bacalla
Ruth Christopher Bacalla

Assigned Attorneys: James R. Golder (SWR)
Judith Shepherd
Thomas B. Carter

Alleged Conduct: Deceptive practices and false advertising in violation of Sections 5 and 12 in connection with the marketing and sale of herbal remedies and treatments.

Status: Complaint filed 7/3/01.
Stipulated preliminary injunction against all defendants filed 7/3/01; entered 7/5/01.
Stipulated final order for permanent injunction and settlement of claims for monetary relief against all defendants filed 11/28/01; entered 12/5/01.

FTC v. CITIGROUP INC., No. 1:01-cv-606-JTC (N.D. Ga.)

Parties: Citigroup Inc.
Citifinancial Credit Company
Associates First Capital Corporation
Associates Corporation of North America

Assigned Attorneys: Lucy E. Morris (BCP/FP)
Ricardo A. Gonzalez
Robert Kaye
Karen Schaefer
Marilyn E. Kerst (OGC)
Valerie M. Verduce (SER)

Alleged Conduct: Deceptive or unfair practices in violation of Section 5, and violation of the Truth in Lending Act, the Equal Credit Opportunity Act, and the Fair Credit Reporting Act, in connection with subprime lending activities.

Status: Complaint filed 3/6/01.
Defendants' motion to dismiss filed 4/16/01.
Commission's opposition to motion to dismiss filed 5/16/01.
Joint preliminary statement and discovery schedule filed 5/16/01.
Commission's response to initial disclosure filed 7/5/01.
Defendants' responses to initial disclosures filed 7/6/01.
Court order denying defendants' motion to dismiss entered 12/27/01.

FTC v. COMPUTERS BY US, INC., No. 00-CV-03232 (D. Md.)

Parties: Computers By Us, Inc.
Jeffrey M. Wesko
Wanda M. Wesko
Richard A. Wesko, Jr.

Assigned Attorneys: Delores Gardner (BCP/MP)
Elizabeth Stein (AUSA)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Mail or Telephone Merchandise Order Rule in connection with the sale of goods on the Internet.

Status: Complaint filed 10/30/00.
Answer by defendant R. Wesko, Jr. filed 11/22/00.
Answer by defendants J. Wesko and W. Wesko filed 1/24/01.
Default against corporate defendant entered by the clerk, 3/16/01.
Stipulated final order for injunctive and equitable relief against individual defendants filed 8/15/01; entered 8/16/01
Final order for injunctive and equitable relief against corporation filed 9/15/01; entered 9/17/01

FTC v. CONSUMER REPAIR SERVICES, INC., et al., No. CV00-11218 FMC (RZx) (C.D. Cal.)

Parties: Consumer Repair Services, Inc.
Manhattan West Marketing, Inc.
Mark Steinberg
James Dehart
Frank Ciaravino

Assigned Attorneys: Thomas Syta (WR-LA)
Barbara Y.K. Chun

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of credit card loss protection services.

Status: Complaint filed 10/23/00.
Ex parte TRO with asset freeze and receiver entered 10/26/00.
Amended complaint adding defendant Manhattan West Marketing, Inc. filed 11/1/00.
Stipulated preliminary injunction filed 11/9/00; entered 11/14/00.

FTC v. CYBERSPACE.COM, LLC, No. 00-CV-01806 (W.D. Wash.)

Parties: Cyberspace.com, LLC
French Dreams
Coto Settlement
Electronic Publishing Ventures
Olympic Telecommunications, Inc.
Ian Eisenberg
Chris Hebard

Assigned Attorneys: Collot Guerard (BCP/MP)
Michael Goodman

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of Internet services.

Status: Complaint filed 10/20/00.
Stipulated permanent injunction as to defendants Ian Eisenberg, French Dreams, and Olympic Telecommunications filed 10/10/00; entered 10/23/00.
Stipulated permanent injunction as to defendants Chris Hebard and Coto Settlement filed 10/20/00; entered 10/23/00.
Plaintiff's application for entry of default as to Cyberspace.com, LLC and as to Electronic Publishing Ventures, LLC filed 12/18/00.
Orders of default entered against Cyberspace.com, LLC, and Electronic Publishing Ventures, LLC entered 12/21/00.
Answers of defendants C. Hebard and Coto Settlement filed 3/26/01.
Answers and cross-complaint (against C. Hebard and Coto Settlement) of defendants French Dreams, Olympic Telecommunications, Inc., and Ian Eisenberg, filed 3/29/01.
Commission's motion to dismiss debtor EPV's related Chapter 11 bankruptcy case filed 3/29/01.
Notice of withdrawal of disclosure statement by debtor EPV in related Chapter 11 bankruptcy case filed 4/3/01.
Commission's motion to strike affirmative defenses of French Dreams, Olympic Telecommunications and Ian Eisenberg and, separately, to strike those of Coto Settlement and Chris Hebard filed 4/17/01.
Order granting in part and denying in part motions to strike affirmative defenses of Coto Settlement and Chris Hebard and of Ian Eisenberg, Olympic Telecommunications and French Dreams entered 5/30/01.
Order dismissing EPV's related Chapter 11 bankruptcy case entered 6/6/01.
Trial set for 6/3/02.

FTC v. DAVISON & ASSOCS., INC., No. 97-1278 (W.D. Pa.)

Parties:	Davison & Associates, Inc. Thomas Dowler Manufacturer's Support Services, Inc. Barbara Miele	George M. Davison III Gordon M. Davison Barbara Davison
Assigned Attorneys:	Steven W. Balster (ECR) Michael Milgrom Brenda W. Doubrava Albert W. Schollaert (AUSA)	
Alleged Conduct:	(Operation Mousetrap) Deceptive practices in the sale of invention-promotion services.	
Status:	Complaint filed 7/15/97. TRO, including asset freeze and appointment of receiver, entered 7/15/97; extended by agreement. Amended complaint adding defendants filed 3/23/98. Stipulated permanent injunction as to defendant Dowler entered 2/22/99. Commission motion for summary judgment filed 4/5/99. Defendants' opposition to summary judgment filed 6/1/99. Commission reply to defendants' opposition to summary judgment filed 6/17/99. Hearing on summary judgment motion held 8/4/99. Commission's motion for preliminary injunction filed 4/3/01. Defendants' response 4/25/01. Commission's reply filed 5/4/01. Defendants' reply filed 5/18/01.	

FTC v. ENFORMA NATURAL PRODUCTS, INC., No. 00-56942 (9th Cir.); No. 00-04376
JSL (CWx) (C.D. Cal.)

Parties: Enforma Natural Products, Inc.
Andrew Grey
Fred Zinos

Assigned Attorneys: David P. Frankel (BCP/AP)
Theodore H. Hoppock
Serena Viswanathan
Barbara Chun (WR-LA)
Marilyn E. Kerst (OGC)

Alleged Conduct: Deceptive practices in violation of Sections 5 and 12 in connection with the marketing and sale of weight loss products.

Status: Complaint filed 4/25/00.
Stipulated final judgment as to defendant Zinos filed 4/25/00; entered 5/10/00.
Stipulated final judgment as to defendants Enforma and Grey (including consumer redress of \$10 million) filed 4/25/00; entered 5/11/00.
Corporate defendant's motion to clarify or modify stipulated final judgment filed 10/23/00.
Opposition filed 11/6/00.
Reply filed 11/13/00.
Motion to clarify or modify denied 11/15/00.
Notice of appeal by defendant Enforma Natural Products, Inc. filed 11/19/00.
Emergency motion in court of appeals for stay pending appeal filed 11/20/00.
Opposition filed 11/30/00.
Motion for stay denied 12/7/00.
Appellant's brief filed 3/23/01.
Commission's brief filed 4/23/01.
Appellant's reply brief filed 5/7/01.

FTC v. EPIC RESORTS, LLC, No. 6:00-CV-1051-ORL-19C (M.D. Fla.)

Parties: Epic Resorts, LLC
Epic Travel, LLC
Thomas Flatley
Scott Egelkamp

Assigned Attorney: Collot Guerard (BCP/MP)

Alleged Conduct: Deceptive practices in violation of Section 5, the Telemarketing Sales Rule and Truth in Lending Act in connection with the marketing and sale of vacation travel packages.

Status: Complaint filed and ex parte TRO entered 8/14/00.
Amended complaint alleging violations of the Truth in Lending Act filed 9/1/00.
Stipulated final judgment and order for permanent injunction and consumer redress filed 9/5/01; granted 9/5/01.

FTC v. FARPOINT SERVICES, No. 01-CV-1593 (W.D. Wash.)

Parties: Farpoint Services Int'l, Ltd.
Garrison Corporation, Inc.
American Card Services SA
Hyperion, LLC
Consolidated Group of Companies, LLC
Roberta Galway, a/k/a Robin Galway
Robin Arcand
Philip Arcand

Assigned Attorneys: Eleanor Durham (NWR)
Mary Benfield

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of credit card loss protection services and credit card laundering.

Status: Complaint for injunctive and other equitable relief filed 10/9/01.
Ex parte motion for TRO and order to show cause filed and entered 10/9/01.

FTC v. FIRST ALLIANCE MORTGAGE COMPANY, No. SACV-00-964 DOC (EEx)
(C.D. Cal.)

Parties: First Alliance Mortgage Company
First Alliance Corporation
Brian Chisick
Sarah Chisick

Assigned Attorneys: John A. Krebs (BCP/FP)
Anne McCormick
Jeanne-Marie Raymond
Eric Imperial
Sarah Shaw
Marilyn E. Kerst (OGC)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Truth in Lending Act
in connection with the marketing and sale of home equity loans.

Status: Complaint filed 10/3/00.
Bankruptcy judge in parallel proceedings preliminarily stayed Commission
action for 180 days on basis of bankruptcy automatic stay, by order
entered 11/13/00.
Appeal of stay to district court filed 12/14/00.
Commission's brief filed 2/13/01.
Appellees' brief filed 3/12/01.
Commission's reply brief filed 3/22/01.
Argument held 4/2-4/3/01.
District court reverses bankruptcy court's ruling, 4/23/01.
Amended complaint for permanent injunctive and other equitable relief
adding Brian Chisick as defendant filed 8/14/01.
Amended complaint for permanent injunctive and other equitable relief
filed 11/27/01.
Trial date set for 4/9/02.

FTC v. FIRST CAPITAL CONSUMER MEMBERSHIP SERVICES, INC., No. 1:00cv00905
(W.D.N.Y)

Parties: First Capital Consumer Membership Services, Inc.
Worldwide Telcom, Inc.
Louis Giambrone
Charles A. Barone
EPX (Intervenor)

Assigned Attorneys: Peter W. Lamberton (BCP/MP)
Michael Goodman

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of credit card loss protection services.

Status: Complaint filed 10/23/00.
Ex parte TRO with asset freeze and receiver entered 10/25/00.
Stipulated preliminary injunction entered 11/8/00.
Motion to lift amended temporary restraining order filed 11/16/00.
Answer to Complaint by First Capital Inc., Worldwide Telcom Inc, Louis Giambrone, Charles A. Barone filed 11/27/00.
Response by FTC to motion to lift amended temporary restraining order filed 11/27/00.
Motion by FTC to consolidate cases 00-cv-905 and 00-cv-917 filed 5/16/01.
Order directing clerk to close 00-cv-917 and that all future docketing take place in 00-cv-905 entered 5/30/01.
Amended complaint filed 5/31/01.
Motion to intervene by EPX filed 6/7/01.
Commission's opposition to EPX's motion for intervention filed 7/13/01.
EPX's reply memo of law in support of its motion for intervention filed 8/6/01.

FTC v. FIRST CREDIT ALLIANCE, No. 300 CV 1049 (D. Conn.)

Parties: First Credit Alliance
Credit Services of America, Inc.
Philip D. Pestrichello, a/k/a Philip Daniel
Allyson Pestrichello, a/k/a Allyson Silver

Assigned Attorneys: Ronald L. Waldman (NER)
Donald G. D'Amato
Ann F. Weintraub

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing of advance fee credit cards.

Status: Complaint and motion for preliminary injunction filed 6/8/00.
Preliminary injunction entered 7/13/00.
Stipulated final judgment and order for permanent injunction as to First Credit Alliance, Inc., Credit Services of America, Inc. and their principal, Philip D. Pestrichello filed 12/3/01; entered 12/5/01.
Stipulated final judgment and order for permanent injunction as to Allyson Pestrichello filed 12/3/01; entered 12/5/01.

FTC v. 1st FINANCIAL SOLUTIONS, 01-C-8970 (N.D. Ill.)

Parties: 1st Financial Solutions, Inc.
American Benefits Club, Inc.
Rockwell Holdings Corporation
John F. Boone

Assigned Attorneys: John Hallerud (MWR)
Katherine Schnack

Alleged Conduct: Deceptive practices in violation of Section 5 and Telemarketing Sales Rule in connection with telemarketing of credit cards.

Status: Complaint filed 11/14/01.
TRO granted 11/19/01.
Stipulated preliminary injunction filed 11/28/01; entered 11/29/01.

FTC v. FREECOM COMMUNICATIONS CORP., No. 2-96CV 04925 (D. Utah)

Parties: Freecom Communications Corp.
American Home Business Association, Inc.
Financial Freedom Report, Inc. Dana P. Gull
Silent Salesforce, Inc. Eleva, Inc.
FFR Marketing, Inc. Mark O. Haroldsen
Robert V. Brazell Don S. Gull
Kelly Haroldsen Annette S. Brazell

Assigned Attorneys: David Newman (WR-SF)
Janice Charter

Alleged Conduct: Deceptive practices in the sale of home-based business ventures.

Status: Complaint filed 6/4/96; stipulated TRO entered 6/14/96.
Motion to dismiss denied 4/21/98.
Consent decree and permanent injunction as to Brazell defendants entered 12/28/98.
Stipulated final judgment as to Haroldsen filed 8/10/99; entered 8/11/99.
Order reassigning the case to another judge entered 12/7/99.
Consent decree as to defendant American Home Business Association filed 9/7/00; entered 9/12/00.
Consent decree and order for preliminary injunction with respect to defendants Freecom Communications Corp., Freedom Report, Inc., Financial Freedom Report Marketing, Inc. and Silent Salesforce, Inc. filed 10/22/01; entered 10/22/01.
Trial held 10/22/01 through 10/30/01.
Defendant's proposed findings and conclusions adopted, with amendments, 10/30/01

FTC v. GARRETT, No. H-01-1255 (S.D. Tex.)

Parties: Paula L. Garrett, d/b/a Discreet Data Systems

Assigned Attorneys: Christopher Keller (BCP/FP)
Ra'ouf M. Abdullah

Alleged Conduct: Deceptive practices in violation of Section 5 and the Gramm-Leach-Bliley Act in connection with the collection and sale of consumers' private financial information.

Status: Complaint filed and ex parte TRO entered 4/17/01.
Stipulated preliminary injunction filed 4/19/01; entered 4/19/01.

FTC v. GARVEY, No. 00-9358 GAF (CWx) (C.D. Cal.)

Parties: Steven Patrick Garvey, a/k/a Steve Garvey
Garvey Management Group, Inc.
Lark Kendall, a/k/a Kendall Carson
Mark Levine
Modern Interactive Technology, Inc.
David Richmond

Assigned Attorneys: David P. Frankel (BCP/AP)
Theodore H. Hoppock
Serena Viswanathan

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of a weight loss product.

Status: Complaint filed 8/31/00.
Stipulated final judgment as to defendant Kendall filed 8/31/00; entered 11/15/00.
Order reassigning case to a new judge entered 9/25/00.
Defendants' motion to dismiss filed 10/13/00; denied 11/15/00.
Opposition filed 11/6/00.
Reply filed 11/13/00.
Defendants' answers to complaint filed 12/15/00.
Motion to strike defendants' affirmative defense against the Commission filed 1/4/01; granted 4/24/01.
Commission's motion for partial summary judgment as to defendants Modern Interactive, Mark Levine and David Richmond filed 6/1/01; denied as moot 8/14/01.
Defendants' motion for summary judgment as to all defendants filed 7/2/01; granted 8/13/01 as to defendants Modern Interactive, Mark Levine and David Richmond; denied 8/13/01 as to Steve Garvey and Garvey Management.
Commission's motion for reconsideration filed 8/24/01; denied 9/19/01.
Defendants' motion for summary judgment as to Steve Garvey and Garvey Management filed 10/1/01; denied 11/8/01.
Trial date set for 3/5/02.

FTC v. GENERAL SUPPLY CENTERS, INC., No. 99-12827 MMM (RZx) (C.D. Cal.)

Parties: General Supply Centers, Inc.
Mark E. Gershick

Assigned Attorneys: Gerald E. Wright (WR-SF)
Raymond E. McKown (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of nondurable office supplies.

Status: Complaint filed and TRO with asset freeze entered 12/7/99.
Stipulated preliminary injunction filed and entered 12/20/99.

FTC v. GILL, Nos. 00-55122, 00-55123, 01-56663, 01-56650 (9th Cir); No. CV-98-1436 LGB (Mcx) (C.D. Cal.)

Parties: Keith H. Gill, d/b/a Law Offices of Keith Gill
Richard Murkey
Credit Restoration Corporation of America (“CRCA”), party to appeal of contempt order only

Assigned Attorneys: Jennifer Larabee (WR-LA)
John D. Jacobs
Marilyn E. Kerst (OGC)

Alleged Conduct: Deceptive practices in the sale of credit repair services.

Status: Complaint filed 3/2/98.
Stipulated preliminary injunction filed 4/21/98.
Motion for summary judgment filed 8/30/99.
Order granting Commission’s motion for summary judgment entered 11/4/99.
Notice of appeal (No. 00-55122) filed by Gill, 12/29/99.
Notice of appeal (No. 00-55123) filed by Murkey, 1/3/00.
Appellant Murkey’s opening brief filed 6/7/00.
Appellant Gill’s opening brief filed 6/8/00.
Commission’s brief filed 8/10/00.
Murkey’s reply brief filed 9/13/00.
Gill’s reply brief filed 9/18/00.
Motion in district court for order to show cause why defendants should not be held in civil contempt filed 5/14/01.
Order to show cause including appointment of temporary receiver, imposition of asset freeze and TRO entered 6/5/01.
Hearing on order to show cause and request for preliminary injunction held 6/25/01.
Ninth Circuit oral argument held 7/10/01.
Order holding defendants and CRCA in contempt of 11/4/99 final order and ordering sanctions entered by district court 7/16/01.
Ninth Circuit decision affirming district court’s summary judgment order entered 9/12/01.
Notice of appeal of 7/16/01 contempt order (No. 01-56650) filed by Murkey, 9/25/01.
Notice of appeal of 7/16/01 contempt order (No. 01-56663) filed by CRCA, 9/26/01.
Appellants’ briefs (in nos. 01-56663 and 01-56650) overdue as of 12/24/01.
Commission’s brief (in nos. 01-56663 and 01-56650) due 1/22/02.
Reply briefs due 2/5/02.

FTC v. GOLD, No. 99-56504 (9th Cir.); No. CV 99-2895-WDK (AIJx) (C.D. Cal.)

Parties: Mitchell D. Gold Patricia Cooley Gold
Herbert Gold Celia Gold
Jonathan Philip Cohen Steven John Chinarian
U.S. Marketing, Inc.
North American Charitable Services, Inc.

Assigned Attorneys: Tracy S. Thorleifson (NWR)
Maxine Stansell
Monica Tait (WR-LA)
Leslie R. Melman (OGC)

Alleged Conduct: Making false and deceptive claims in violation of Section 5 in soliciting charitable donations.

Status: Complaint filed 11/9/98.
Stipulated preliminary injunction entered 11/25/98.
Motion for contempt of the preliminary injunction filed 2/18/99.
Hearing on contempt motion, 5/10/99.
Defendants M. Gold and North American Charitable Services filed for bankruptcy 5/10/99; North American Charitable Services' bankruptcy petition dismissed 6/9/99; adversary complaint filed by the Commission in response to M. Gold's bankruptcy petition, 8/2/99.
Modified stipulated preliminary injunction resolving the motion for contempt filed 7/16/99; entered 7/29/99.
Notice of appeal of modified preliminary injunction filed by defendants, 8/16/99.
Appeal dismissed by order entered 12/29/99 for failure to prosecute.
Commission's motion for summary judgment, or in the alternative, summary adjudication, filed 6/19/00.
Oppositions filed 9/18/00.
Reply filed 10/6/00.
Defendants' motion for judgment on the pleadings and motion to dismiss filed 10/30/00.
Modified preliminary injunction filed 11/3/00; entered 11/16/00.
Commission's oppositions to defendants' motions filed 11/6/00.
Defendants' reply briefs in support of motion for judgment on the pleadings filed 11/13/00.
Order denying defendants' motion to dismiss and motion for judgment on the pleadings, and denying Commissions' motion for summary judgment, entered 12/13/00.

FTC v. GROWTH PLUS INTERNATIONAL MARKETING, INC., No. 00 C 7886 (N.D. Ill.)

Parties: Growth Plus International Marketing, Inc., d/b/a Growth Potential
International, GPI, and GPIM
Gains International Marketing, Inc., d/b/a Gains Wealth International
Ploto Computer Services, Inc.
Victor Thiruchelvam
Jessie Nadarajah
Kandan Nadarajah
Arudchelvam Nagamuthu
Julie Turgeon

Assigned Attorneys: Karen D. Dodge (MWR)
David O'Toole

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of Canadian Lottery tickets.

Status: Complaint filed and TRO with asset freeze entered 12/18/00.
Preliminary injunction against all defendants except Arudchelvam Nagamuthu entered 2/7/01.
Default against corporate defendants V. Thiruchelvam, J. Nadarajah, and K. Nadarajah entered 5/1/01.
Stipulation of dismissal as to Julie Turgeon filed 8/22/01; granted 9/4/01.
Notice of voluntary dismissal as to Arudchelvam Nagamuthu filed 8/22/01; granted 9/4/01.

FTC v. GUZZETTA, No. 01-CV-2335 (E.D.N.Y.)

Parties: Victor L. Guzzetta, d/b/a Smart Data Systems

Assigned Attorneys: Russell Deitch (BCP/MP)
Carole Paynter (NER)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Gramm-Leach-Bliley Act, in connection with the collection and sale of consumers' private financial information.

Status: Complaint filed and ex parte TRO with asset freeze and receiver entered 4/17/01.
Stipulated preliminary injunction order filed 4/26/01; entered 5/04/01.

FTC v. HAFIZ, No. CV 00 6884 (E.D.N.Y.)

Parties: Ahamad A.H. Hafiz, a/k/a Ahamad Ahhafiz, Ali Hafiz
Dhanmatie Kashem, a/k/a Dhanmatie Nazar

Assigned Attorney: Robin E. Eichen (NER)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Mail or Telephone
Order Merchandise Rule, in connection with the sale of computer software
and electronics over the Internet.

Status: Complaint filed 10/25/00. Ex parte TRO entered 10/27/00.
TRO extended pending service by publication.
Service rendered to Dhanmatie Kashem personally, completed 2/22/01.
Service by publication pursuant to court order permitting such service for
Ahamad Hafiz, completed 3/15/01.

FTC v. HEARST TRUST, No. 1:01CV00734 (D.D.C.)

Parties: Hearst Trust
 Hearst Corporation
 First Databank, Inc.
 Medi-Span, Inc.

Assigned Attorneys: Garry Gibbs (BC/HSP)
 Susan Pettee
 Paul Nolan
 Oscar Voss
 Steven Osnowitz
 George Bellack
 Eric D. Rohlck (BC/COMP)
 Kenneth M. Davidson
 Melvin Orlans (OGC)

Alleged Conduct: Violation of Section 7A(a) of the Hart-Scott-Rodino Act and Regulations promulgated under the Hart-Scott-Rodino Act, as well as violation of Section 7 of the Clayton Act and Section 5 of the Federal Trade Commission Act.

Status: Complaint filed 4/20/01.
 Defendant granted an extension to respond to complaint, extended to 9/19/01.
 Stipulation for entry of final order and stipulated permanent injunction filed and entered 12/18/01.

FTC v. HI TECH MINT SYSTEMS, INC., No. 98 Civ. 5881 (S.D.N.Y.)

Parties: Hi Tech Mint Systems, Inc.
Ron Depung, a/k/a Thomas DePung and Ron DePuond
Lawrence Lind

Assigned Attorneys: Ronald L. Waldman (NER)
Ann F. Weintraub

Alleged Conduct: Misrepresenting the potential earnings and other material aspects of
vending machine business opportunities, and violating the Franchise Rule
by failing to provide the required documents.

Status: Complaint filed 8/13/98.
TRO entered 9/3/98; extended by stipulation.
Stipulated preliminary injunction entered 11/30/98.
Stipulated final judgment and order for permanent injunction filed
12/6/01; entered 12/7/01.

FTC v. ICON AMERICA, INC., No. 2:01-CV-320 (D. Vt.)

Parties: Icon America, Inc.
9066-3451 Quebec Inc., d/b/a Sierra Enterprises, Inc.
Mete Suatac, individually and d/b/a Icon America, Inc.
Jonathan Parkinson, a/k/a Jonathan Parks, individually and d/b/a Icon
America, Inc.

Assigned Attorneys: Robin Eichen (NER)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the offer
and sale of credit card loss protection services.

Status: Complaint filed 10/17/01.

FTC v. INFORMATION SEARCH, INC., No. AMD 01-1121 (D. Md.)

Parties: Information Search, Inc.
David J. Kacala

Assigned Attorneys: Alain Sheer (BCP/FP)
Jeffrey Davidson

Alleged Conduct: Deceptive practices in violation of Section 5 and the Gramm-Leach-Bliley Act in connection with the collection and sale of consumers' private financial information.

Status: Complaint filed and ex parte TRO with asset freeze and receiver entered 4/17/01.
Stipulated preliminary injunction filed and entered 4/23/01.

FTC v. J.K. PUBLICATIONS, INC., Nos. 00-56947, 00-56948 (9th Cir.); No.
99-000-44ABC (AJWx) (C.D. Cal.)

Parties: J.K. Publications, Inc.
Kenneth H. Taves, a/k/a Ken Till, d/b/a Netfill, netfill.com, xbc.com,
N-Bill, Online Billing, Assist Online, Herbal Care, KULM
Consulting Group
Gary Neal Mittman, d/b/a Adult Bank, netfill.com, adultbank.com
Maurice O'Bannon, d/b/a MJD Enterprises
Teresa Callei Taves Dennis Rappaport
MJD Services, Inc. Discreet Bill, Inc.
Adult Banc, Inc. Herbal Care, Inc.
Net Options, Inc. TAL Services, Inc.

Assigned Attorneys: Douglas Wolfe (BCP/MP)
David Spiegel
Marilyn E. Kerst (OGC)

Alleged Conduct: Making false and deceptive claims and engaging in unfair acts or practices
in violation of Section 5 in billing for Internet services.

Status: Complaint and motion for TRO filed 1/5/99.
TRO entered 1/6/99; extended by stipulations 1/19, 2/11/99.
Amended complaint adding additional defendants filed 1/20/99.
Claims as to defendant Net Options dismissed by FTC motion, 1/20/99.
Preliminary injunction as to defendants Mittman and Adult Banc, entered
3/10/99.
Preliminary injunction as to defendants J.K. Publications, K. and T. Taves,
and MJD Services, entered 3/16/99.
Order to Show Cause why K. Taves should not be held in contempt for
violating the TRO, entered 4/1/99.
Finding of contempt as to K. Taves entered 5/6/99.
Finding of contempt as to K. and T. Taves entered 5/10/99.
Stipulated final judgment as to defendants Mittman and Adult Banc filed
6/8/99; entered 6/10/99.
Motion for summary judgment as to remaining defendants filed
11/29/99; opposition filed 12/13/99; reply filed 12/20/99.
Motion to dismiss complaint filed by defendant O'Bannon, 12/22/99;
granted 4/10/00.
Order for default judgment as to defendant Rappaport entered 3/8/00.
Commission's motion for summary judgment granted in part, 4/10/00.
Trial regarding the issue of damages held 6/14-6/15/00.
Verdict in favor of the Commission, which provides for \$37.5 million in
consumer redress, returned 8/9/00.
Final judgment entered 8/30/00.

Default judgments as to defendants TAL Services and Discreet Bill entered 8/31/00.
Notices of appeal (Nos. 00-56947, 00-56948) by defendants K. and T. Taves filed 10/30/00.
Appellants failed to file briefs due 2/15/01.
Court order requiring appellant J.K. Publications to show cause why the case should not be dismissed, entered 3/20/01.
Briefing suspended by court order, 3/20/01.
Order dismissing no. 00-56779 for failure to prosecute entered 4/18/01 .
Order extending time to file briefs nos. 00-56947 and 00-56948 entered 8/10/01.
Appellants' brief due 2/11/02; appellee's brief due 3/13/02.

FTC v. KELLY, No. CV 99 562 RJD (E.D.N.Y.)

Party: Patrick R. Kelly, d/b/a Patrick R. Kelly Enterprises and P.R.K. Enterprises

Assigned Attorney: Ann Weintraub (NER)

Alleged Conduct: Violations of Section 5 and the Credit Repair Organizations Act in connection with counseling consumers to create a new credit identity.

Status: Complaint and motion for preliminary injunction filed 1/29/99.
Preliminary injunction entered 2/10/99.
Motion for summary judgment filed 7/6/01.
Defendant's response to motion for summary judgment and motion to dismiss for improper venue filed 9/28/01.
Reply to defendant's response filed 11/26/01.

FTC v. KRUCHTEN, No. 01-523 (ADM/RLE) (D. Minn.)

Parties: Bryan Kruchten, d/b/a Page Creators d/b/a PageCreators.net
Trinity Host, LLC d/b/a TrinityHost.com

Assigned Attorney: Steve Wernikoff (MWR)

Alleged Conduct: Deceptive practices in violation of Section 5, in connection with the sale of Internet Web site hosting and attendant services.

Status: Complaint filed and ex parte TRO entered 3/26/01.
TRO extended by court order until 4/24/01.
Stipulated preliminary injunction filed 4/24/01; entered 4/24/01.

FTC v. MAR DELFINAS, LTD., No. 01-CV-1326-B (JAH) (S.D. Cal.)

Parties: Mar Delfinas, Ltd.

Assigned Attorney: Faye Chen Barnouw (WR-LA)

Alleged Conduct: Action to set aside fraudulent transfer of real property belonging to FTC debtor to a limited partnership under same debtor's control.

Status: Complaint filed 7/23/01.

FTC v. MARKETING AND VENDING CONCEPTS, LLC, No. 00 CV 1131 (S.D.N.Y.)

Parties: Marketing and Vending Concepts, LLC
Michael Cavallo
Mitchell Jacoby

Assigned Attorney: Carole Paynter (NER)

Alleged Conduct: Violations of Section 5 and the Franchise Rule in the marketing and sale of vending machine business ventures.

Status: Complaint filed and ex parte TRO entered 2/15/00.
Stipulated preliminary injunction filed 3/27/00; entered 3/29/00.

FTC v. MEDICOR LLC, No. CV 01-1896 CBM (EX) (C.D. Cal.)

Parties: Medicor LLC
Andrew Rubin

Assigned Attorneys: Stephen Gurwitz (BCP/MP)
James W. Beane
John Jacobs (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of medical billing work-at-home opportunities.

Status: Complaint filed 2/28/01.

FTC v. MED RESORTS INTERNATIONAL, INC., No. 00 C4893 (N.D. Ill.)

Parties: Med Resorts International, Inc.
World Connections, Inc., d/b/a World Connections Travel
Mediterranean Resorts, Inc.
Destinations Unlimited of Delaware, Inc., d/b/a Destinations Unlimited
Bay Financial Services, Inc.
V-Pac, Inc.
J. George Claveau
Marianne Borden-Myers
Commonwealth of Virginia (co-plaintiff)

Assigned Attorneys: Todd Kossow (MWR)
Katherine Schnack

Alleged Conduct: Deceptive practices in violation of Section 5 and the Holder in Due Course Rule in connection with the marketing and sale of vacation club memberships.

Status: Complaint filed 8/10/00.
Amended complaint adding the Commonwealth of Virginia as a co-plaintiff filed 8/10/00.
Ex parte TRO entered 8/16/00.
Order extending TRO until 11/15/00 entered 9/21/00.
Stipulated preliminary injunction entered 12/20/00.
Stipulated final order for permanent injunction with consumer redress and other equitable relief filed 11/1/01; entered 11/14/01.

FTC v. MEMBERSHIP SERVICES, INC., No. 01-CV-1868 (S.D. Cal.)

Parties: Membership Services, Inc.
James M. Schwindt

Assigned Attorneys: John Jacobs (WR-LA)
Jerome Steiner (WR-SF)
Elizabeth Blackston (AG-III.)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of credit card loss protection services and advance fee credit cards.

Status: Complaint filed 10/15/01.
TRO with asset freeze filed 10/17/01; entered 10/18/01.
Preliminary injunction with asset freeze filed and entered 10/31/01.

FTC v. MILLENNIUM INDUSTRIES, INC., No. 01-1932 PHX MHM (D. Ariz.)

Parties: Millennium Industries, Inc. d/b/a Premier Consumer Services
Anthony V. Deangelis

Assigned Attorney: Gary Kennedy (SWR)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the sale of credit card protection services.

Status: Complaint for injunctive and other equitable relief filed 10/10/01.
Stipulated preliminary injunction entered 10/24/01.

FTC v. MYLAN LABORATORIES, INC., No. 1:98CV031114 (D.D.C.)

Parties: Mylan Laboratories, Inc. Gyma Laboratories of America, Inc.
Cambrex Corp. SST Corporation
Profarmaco S.R.L.

Assigned Attorneys: Randall Marks (BC/HSP)
David Pender
Michael Kades
Melvin H. Orlans (OGC)

Alleged Conduct: Conspiracy to monopolize, monopolization and attempted monopolization of a drug market, and entering agreements in restraint of trade in violation of Section 5.

Status: Complaint filed 12/22/98.
Motion to dismiss filed 3/9/99; denied 7/7/99.
Request for interlocutory appeal denied 8/10/99.
Order staying proceedings pending settlement negotiations entered 7/13/00.
Stipulated permanent injunction (including \$100 million in disgorgement of profits) filed 11/29/00; entered 2/9/01.
Motion to dismiss direct purchaser plaintiffs for lack of standing filed by defendants 4/10/01.
Commission's memorandum and direct purchaser memorandum in opposition filed 4/30/01.
Motion to dismiss direct purchaser plaintiffs denied 6/29/01.

FTC v. NATIONAL CRAFTERS CORP., No. 01-4826-Civ-Graham-Turnoff (S.D. Fla.)

Parties: National Crafters Corp.
Thomas Felix Diaz, Jr.

Assigned Attorneys: Robin L. Rock (SER)
Chris M. Couillou

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing of a work-at-home business opportunity involving assembly of beaded bracelets.

Status: Complaint filed 11/27/01.
TRO entered 11/28/01.
Stipulated preliminary injunction filed 12/12/01.

FTC v. NATIONWIDE INFORMATION SERVICE, INC., No. 00-06505 TJH (Ex) (C.D. Cal.)

Parties: Nationwide Information Service, Inc.
Stevan P. Todorovic
Michael G. Harvey

Assigned Attorneys: Todd M. Kossow (MWR)
Katherine Romano Schnack

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of informational guides on government auctions for seized vehicles and foreclosed properties.

Status: Complaint filed and ex parte TRO entered 6/19/00.
Order extending TRO until 10/2/00, entered 8/29/00.
Amended complaint adding Harvey as a defendant filed 9/19/00.
Order extending TRO until 7/16/01, entered 6/8/01.
Stipulated order for permanent injunction with consumer redress and other equitable relief filed 10/1/01; entered 10/3/01.

FTC v. NAVESTAR DM, INC., No. 20-CV-6269T (W.D.N.Y.)

Parties: Navestar DM, Inc.
Financial Services Network USA, Inc.
Paul Navestad

Assigned Attorney: Dara Diomande (NER)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing of advance fee loan and cash grant programs.

Status: Complaint filed and ex parte TRO with asset freeze entered 6/12/00.
Motion to stay discovery and proceed on the basis of the findings from the discovery in a parallel criminal matter filed 6/28/00; denied 9/21/00.
Stipulated preliminary injunction filed 8/24/00; entered 8/25/00.

FTC v. NETFORCE SEMINARS, No. 00-CV-2260 PHX RCB (D. Ariz.)

Parties: Netforce Seminars
Richard Slaback
J.D. Noland
Darin Epps
Edward Lamont

Assigned Attorneys: David C. Fix (BCP/MP)
Lawrence Demille-Wagman (OGC)
Ann E. Harwood (AUSA)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing of an Internet commerce pyramid scheme.

Status: Complaint filed 11/29/00.
Stipulated final judgments and orders for permanent injunctions as to defendants R. Slaback, D. Epps, Netforce Seminars and E. Lamont filed 6/21/01; entered 6/26/01.

FTC v. NEW MILLENNIUM CONCEPTS, INC., No. 01 CV 3797 (N.D. Ill.)

Parties: New Millennium Concepts, Inc., d/b/a Rhinopoint.com
Karl V. Kay

Assigned Attorneys: John C. Hallerud (MWR)
Steven M. Wernikoff

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with an Internet billing scheme.

Status: Complaint filed 5/23/01.
Stipulated preliminary injunction filed and entered 5/31/01.
Stipulated final judgment and order for permanent injunction filed 10/29/01; entered 10/31/01.

FTC v. OPCO INTERNATIONAL AGENCIES, INC., No. C:01-0253R (W.D. Wash.)

Parties: Opco International Agencies, Inc.
0590739 BC Ltd., d/b/a American Fraud Watch Services
Fraud Watch Services, Inc.
Central Corporate Services, Inc.
American Fraud Watch Services, Inc.
Customer Services International Nevada, Inc.
Debt Services International, Inc.
Global Horizons, Inc.
Wayne Farrow
Carrie E. Hope
Mark E. Wilson

Assigned Attorney: Eleanor Durham (NWR)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule, in connection with the sale of credit card protection services.

Status: Complaint filed and ex parte TRO entered 2/21/01.
Preliminary injunction entered 3/12/01.
Default judgment as to all defendants entered 9/21/01.
Default on the injunction and money judgment entered 9/21/01.
Default judgment entered 12/28/01.

FTC v. PARA-LINK INTERNATIONAL, INC., No. CV 00 2114 (M.D. Fla.)

Parties: Para-Link International, Inc.
AAA Family Centers, Inc.
The Liberty Group of America, Inc.
Deborah R. Dolen
Matthew See
Judy Graves

Assigned Attorneys: Michael Mora (BCP/MP)
Jennifer Mandigo

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of paralegal training kits and other work-at-home opportunities.

Status: Complaint filed 10/16/00.
Ex parte TRO with asset freeze entered 10/17/00.
Preliminary injunction entered 2/28/01.

FTC v. THE PENDLETON GROUP, INC., No. SACV 01-903 (ANx) (C.D. Cal.)

Parties: The Pendleton Group, Inc., d/b/a Product Distribution Center and
Lakeshore Industries
James C. Caouette, individually and d/b/a as Product Distribution Center,
Superior Ink Products and Lakeshore Industries

Assigned Attorneys: Theresa McGrew (MWR)
William Hodor

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with supplying nondurable office supplies.

Status: TRO filed 10/9/01; entered 10/19/01.
Stipulated preliminary injunction filed and entered 10/25/01.

FTC v. R & R CONSULTANTS, INC., No. 01-CV-1537 (N.D.N.Y.)

Parties: R & R Consultants, d/b/a Coast to Coast Benefits, R & R, Peace and Quiet, Consumer Alert, R & R Financial, Consumer Information Services
Coast to Coast Benefits, Inc.
Reuben Ross

Assigned Attorneys: David R. Spiegel (BCP/MP)
Brian Huseman

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the offer and sale of credit cards and credit card loss protection services.

Status: Complaint for injunctive and other equitable relief filed 10/10/01.
Stipulated preliminary injunction filed 11/14/01.

FTC v. RANN, No. 00-CV-02792 (GEB) (D.N.J.)

Parties: Bernard Rann, d/b/a Financial Services of North America and Financial Resources of North America
Anthony Camporeale, d/b/a Financial Services of North America and Financial Resources of North America

Assigned Attorney: Robin E. Eichen (NER)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing of advance fee credit cards.

Status: Complaint filed and ex parte TRO entered 6/9/00.
Stipulated preliminary injunction filed and entered 9/15/00.
Stipulated final judgment and order of permanent injunction filed 10/31/01; entered 10/31/01.

FTC v. REXALL SUNDOWN, INC., No. 00-7016-CIV-FERGUSON/SNOW (S.D. Fla.)

Party: Rexall Sundown, Inc.

Assigned Attorneys: Daniel Kaufman (BCP/AP)
Shira D. Modell
Stacy Feuer
Theodore Hoppock

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing of a dietary supplement.

Status: Complaint filed 7/19/00.
Defendant's motion to dismiss filed 8/21/00.
Commission's opposition filed 9/12/00.
Defendant's reply filed 9/21/00.
Commission's motion for partial summary judgment filed 12/1/00.
Defendant's opposition filed 12/18/00 .
Commission's reply filed 12/29/00.
Commission's motion for partial summary judgment denied on non-substantive grounds, 9/26/01.
Defendant's motion for continuance filed 10/5/01.
Joint pretrial stipulation filed 10/22/01.
Commission's second motion to compel production of documents filed 11/13/01.

FTC v. SAYLON, INC., No. 01-9273 NM (C.D. Cal.)

Parties: Saylon, Inc., d/b/a First Liberty Financial, Saylon National Credit, Shop Saylon, and Quicklinks.com
Mark Joseph Lyon
John Donald Lyon
Kurt Charles Uhler

Assigned Attorneys: Raymond E. McKown (WR-LA)
Barbara Y. K. Chun

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with a direct mail credit card solicitation scheme.

Status: Complaint for injunctive and other equitable relief filed 10/29/01.
TRO with asset freeze entered 11/1/01.
Preliminary injunction against defendants entered 11/20/01.

FTC v. SKYBIZ.COM, INC., Nos. 01-5166, 01-5176 (10th Cir.); No. 01-CV-096 (N.D. Okla.)

Parties: Skybiz.com, Inc.
World Service Corporation
Nanci Corporation International
Worldwide Service Corporation
Skybiz International Ltd.
James S. Brown
Stephen D. McCullough
Elias F. Masso
Nanci H. Masso
Kier E. Masso
Ronald E. Blanton

Assigned Attorneys: James Elliott (SWR)
Kristin Malmberg
James R. Golder
Judith Shepherd
Michele Arington (OGC)
John Singer

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with a pyramid scheme involving home-based business opportunities.

Status: Complaint filed 5/30/01.
TRO with asset freeze and receiver entered 6/6/01.
First amended complaint adding defendant SkyBiz International filed 6/25/01.
Motion by SkyBiz Int'l to dismiss for lack of personal jurisdiction filed 7/16/01.
Preliminary injunction against Nanci Masso and Nanci Corporation Int'l ("NCI") entered 8/2/01.
Preliminary injunction against other "SkyBiz defendants" (except SkyBiz Int'l) entered 8/31/01.
Nanci Masso's and NCI's motion for reconsideration of preliminary injunction filed 9/19/01.
SkyBiz defendants' notice of appeal of preliminary injunction order filed 9/19/01; appellants' brief filed 11/8/01; Commission brief filed 12/11/01.
Order denying SkyBiz Int'l's motion to dismiss for lack of personal jurisdiction entered 9/19/01.
Order authorizing receiver to collect \$32 million from SkyBiz Int'l entered 9/26/01.
SkyBiz Int'l's notice of appeal of order authorizing the collection of receivables filed 9/27/01; Commission motion to dismiss appeal

filed 11/13/01; appellant's response filed 12/12/01.
SkyBiz Int'l's emergency motion (N.D. Okla.) to stay order authorizing
collection of receivables filed 9/27/01; granted 9/28/01.

FTC v. SMOLEV, No. 01-8922 CIV-ZLOCH (S.D. Fla.)

Parties:	Ira Smolev Richard Kaylor Member Service of America, L.L.C. Premier Membership Services, L.L.C. Inter*act Communications, Inc. Erevenue Partners, L.L.C. Linden Investments, L.L.C. Premier Club Services, L.L.C. Residents Resource Network, L.L.C. Revenue Solutions, L.L.C. The Backend Company of America, Inc.	Bruce Turiansky Triad Discount Buying Service, Inc. Orchid Associates, L.L.C. Inter*act Travel, Inc. Consumer Data Depot, L.L.C. Far Services, L.L.C. Lynstrom Information Service, L.L.C. Premier Marketing Services of America, L.L.C. Spanish River Investors, L.L.C. The Shoppers Edge, L.L.C. Triad Marketing Group, Inc. Tritell of Nevada, L.L.C.
Assigned Attorneys:	Louise Jung (BCP/ENF) Robert Frisby Gregory Ashe Renate Kincheck Ramona Elliot (BCP/PI)	
Alleged Conduct:	Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with telemarketing buying club memberships.	
Status:	Complaint for injunctive and other equitable relief filed 10/23/01. Stipulated final judgment and order for permanent injunction and monetary settlement as to all defendants except Bruce Turiansky and Richard Taylor filed 10/23/01; entered 11/27/01.	

FTC v. SPEEDWAY MOTORSPORTS, INC., No. 1:01CV00126 (M.D.N.C.)

Parties: Speedway Motorsports, Inc.
Oil-Chem Research Corp.

Assigned Attorneys: Jonathan Cowen (BCP/ENF)
Edwin Rodriguez
Craig Lisher
Laureen Kapin
Michael Ostheimer (BCP/AP)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of fake motor vehicle lubricant.

Status: Complaint filed 1/31/01.
Trial date set for 7/8/02.

FTC v. STILLWATER VENDING, LTD., No. 97-386-JD (D.N.H.)

Parties: Stillwater Vending, Ltd. Global Locating, Inc.
VendAmerica, Inc. Joel Salvatore
Jeffrey Salvatore

Assigned Attorney: Tara Flynn (BCP/MP)
Eileen Harrington

Alleged Conduct: Operation Field of Schemes. Deceptive practices and Franchise Rule violations in the sale of vending machine business opportunities.

Status: Complaint filed 8/7/97.
Stipulated TRO entered 8/22/97.
Stipulated preliminary injunction entered 9/9/97.
Amended complaint adding defendants filed 10/97.
Clerk's default against four defendants entered 11/97.
Default vacated as to corporate defendants 12/97.
Trial as to corporate defendants indefinitely postponed pending resolution of criminal proceedings, by stipulation filed and entered 1/29/99.

FTC v. STREAMLINE INTERNATIONAL, INC., No. 01-6885-Civ-Ferguson (S.D. Fla.)

Parties: Streamline International, Inc.
J.R. Jackson
Robert “Bob” Waitkus

Assigned Attorneys: David Torok (BCP/MP)
James Davis

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the
marketing and sale of health-care products through a pyramid scheme.

Status: Complaint filed 5/23/01.
Motion for preliminary injunction filed 5/30/01.

FTC v. TASHMAN, No. 98-7058 Civ. (S.D. Fla.); No. 01-14137-HH (11th Cir.)

Parties:	Stephen I. Tashman Ernest F. Lockamy Harris M. Cohen	Stephen M. Mishkin Michael S. Dundee Telecard Dispensing Corp.
Assigned Attorneys:	Ronald E. Laitsch (SER) Robin Rock Lawrence DeMille-Wagman (OGC)	
Alleged Conduct:	False and deceptive claims in violation of Section 5 and the Franchise Rule in soliciting purchasers of vending machines that dispense prepaid telephone calling cards.	
Status:	Complaint filed and TRO entered 9/29/98; TRO extended by stipulation. Stipulated preliminary injunction entered 12/21/98. Commission's motion for summary judgment filed 12/16/99. Motion denied by order entered 3/2/00. Trial held 4/10-4/13/00 and 6/14-6/15/00. Stipulated final judgment as to defendants Mishkin and Cohen filed and entered 6/14/00. Order holding defendant Tashman in violation of one franchise count, dismissing other four counts, and requiring disgorgement of \$420,000 entered 5/24/01. Notice of appeal by Commission filed 7/18/01. Commission's appellate brief filed 11/19/01. Appellee's motion for remand to district court filed 12/4/01. Appellee's brief filed 12/22/01. Denial of motion for remand to district court entered 12/27/01.	

FTC v. TELECOMMUNICATIONS OF AMERICA, INC., No. 95-693-CIV-ORL-22 (M.D. Fla.)

Parties: Telecommunications of America, Inc.
Barry Taylor

Assigned Attorney: Lawrence Hoddap (BCP/MP)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Franchise Rule in connection with the marketing and sale of pay-per-call business ventures.

Status: Complaint filed 7/7/95.
TRO with asset freeze entered 7/11/95.
Stipulated preliminary injunction entered 8/2/95.
Stipulated final judgment (including consumer redress) filed 3/6/96; entered 3/14/96.
Emergency ex parte application for order to show cause why defendant Taylor should not be held in contempt for violations of the stipulated final judgment, filed 3/16/00.
Hearing held and defendant Taylor found in contempt of final judgment, 5/1/00.
Motion for additional relief filed 5/9/00.
Order granting motion for additional relief entered 10/5/00.
Defendant Taylor filed for bankruptcy 11/9/00.
Motion for judgment on pleadings or, in the alternative, for summary judgment in bankruptcy court filed 9/26/01.
Order exempting debt from discharge on basis of summary judgment motion entered 12/21/01.

FTC v. THINK ACHIEVEMENT CORP., Nos. 01-1663, 00-3744, 98-4265 (7th Cir.); No. 2:98- C-12-TS (N.D. Ind.)

Parties:	Think Achievement Corp. The Answering Service, Inc. New Age Advertising Corp. Career Advancement Corp. Patricia A. Harris Sena J. Rager Ferron F. Harris Jill Robinson, a/k/a Jill Carpenter Linda S. Tankersley David Barnack, d/b/a Information Delivery Service	National Answering Service The Rosewood Group H.D. Davidson Advertising Corp. Information Delivery Systems, Inc. Harry D. Brankle Tillwanner "Tee" Jackson Steven F. Stucker William H. Tankersley
Assigned Attorneys:	Gregory A. Ashe (BCP/ENF) David Frankel (BCP/AP) Lawrence Demille-Wagman (OGC) Michele Arington	
Alleged Conduct:	Deceptive practices in the sale of employment program to persons seeking positions with the U.S. Postal Service.	
Status:	Complaint filed, TRO and asset freeze entered with appointment of receiver, 1/15/98. Preliminary injunction as to original defendants entered 2/10/98. Complaint amended to add additional defendants and TRO issued as to those defendants, 2/10/98. Preliminary injunction as to additional defendants entered 3/31/98. Order granting partial stay of compliance with asset freeze regarding offshore assets entered 4/9/98. Stipulated final judgment as to defendant Stucker entered 10/22/98. Order granting motion to amend complaint entered 10/22/98. Order denying motion to set aside default as to corporate defendants entered 10/22/98. Notice of appeal from order declining to set aside default filed 12/17/98; Court of Appeals order directing appellant to state why appeal should not be dismissed for lack of jurisdiction entered 1/7/99; appeal voluntarily withdrawn 1/14/99. Motion for default judgment filed 12/30/98; withdrawn without prejudice 2/1/99. Stipulated final judgment as to defendants P. Harris, F. Harris, Brankle, Rager, Jackson, Barnack, and Robinson filed 5/4/99; entered 6/15/99. Commission's motion for summary judgment as to the corporate defendants and W. and L. Tankersley filed 6/8/99.	

Motion for summary judgment granted from the bench, 2/4/00.
Notice of appeal by W. and L. Tankersley filed 10/19/00.
Appellants' motion in district court for stay of judgment pending appeal filed 10/31/00.
Commission's opposition to motion filed 11/15/00.
Motion for stay pending appeal denied 12/5/00.
Appellants' emergency motion in court of appeals for stay of judgment pending appeal filed 12/7/00.
Commission's opposition to emergency motion filed 12/13/00.
Emergency motion for stay pending appeal denied 1/12/01.
Defendants W. and L. Tankersley held in civil contempt of court for failure to provide accounting and turn over assets, 1/29/01; warrant issued for their arrest 2/9/01; W. and L. Tankersley taken into custody 2/12/01.
Appellants' counsel's motion to withdraw as attorneys of record filed and granted 3/14/01.
Commission's notice of appeal (cross-appeal, No. 01-1663) filed 3/14/01.
Hearing on defendants' motion to reconsider court's order holding them in civil contempt held 4/18/01; denied 4/18/01.
Briefing in appeal stayed pending further court action ordered 5/23/01.
Motion to intervene in cross-appeal filed by Nick Thiros (W. Tankersley's criminal attorney) filed 5/3/01; granted 5/25/01.
Motion to intervene in cross-appeal by Gregory Sarkisian (W. and L.'s Tankersleys's civil attorney) filed 5/31/01; granted 6/7/01.
Denial of Tankersley's motion to reconsider contempt order after evidentiary hearing entered 11/14/01.
Appellants' opening brief due 1/14/02.
Commission's combined response and opening brief in cross-appeal due 2/13/02.
Appellants' reply brief in case-in-chief due 2/27/02.
Appellants' responding brief in cross-appeal due 3/13/02.

FTC v. TIM CHO INVESTMENT CORP., No. SACV 01-331 DOC (EEx) (C.D. Cal.)

Parties: Tim Cho Investment Corp.
Timothy Cho

Assigned Attorneys: Ken Abbe (WR-LA)
Amy Brothers

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of “day trading” seminars.

Status: Complaint filed 3/15/01.
Defendants’ motion to dismiss case, to strike a portion of complaint, and for a protective order to avoid having the Commission contact consumers filed 4/24/01.
Defendants’ motion to stay discovery filed 5/29/01.
Commission’s opposition to all of defendants’ motions filed 6/12/01.
Order denying defendants’ motions to dismiss, strike and for protective orders entered 6/22/01.
Commission’s motion to strike defendants’ affirmative defenses filed 8/17/01.
Commission’s motion to strike defendants’ jury demands filed 8/17/01; granted 9/5/01.
Order striking defendants’ jury demands entered 9/5/01.
Commission’s motion to strike all of defendants’ affirmative defenses filed 8/17/01; order granting in part and denying in part entered 9/5/01.

FTC v. TRANSWORLD ENTERPRISES, INC., No. 00 8126-CIV-GRAHAM (S.D. Fla.)

Parties: Transworld Enterprises, Inc., d/b/a ATM International
Mark Goldstein, a/k/a Mark Davis
James A. Mackey, Jr.

Assigned Attorney: Collot Guerard (BCP/MP)

Alleged Conduct: Deceptive practices in violation of Section 5 and the Franchise Rule in connection with the marketing and sale of ATM business ventures.

Status: Complaint filed 2/7/00.
TRO entered 2/10/00.
Stipulated preliminary injunction as to defendants Mackey and Transworld filed and entered 2/17/00.
Motion for preliminary injunction as to defendant Goldstein filed 3/31/00; granted 4/17/00.
Trial set for 7/02.

FTC v. TRAVEL EXPRESS INTERNATIONAL, INC., No. 1: 01-CV-0906-GET (N.D. Ga.)

Parties: Travel Express International, Inc.
Robert E. Lewis, II
Alan D. Humphries

Assigned Attorneys: Barbara E. Bolton (SER)
Harold Kirtz

Alleged Conduct: Deceptive practices in violation of Section 5 and the Telemarketing Sales Rule in connection with the marketing of vacation travel packages.

Status: Complaint filed 4/9/01.
Complaint amended 10/29/01.

FTC v. TUNGSTEN GROUP, INC., No. 2:01 cv 773 (E.D. Va.)

Parties: The Tungsten Group, Inc., d/b/a American Savings Discount Club,
 Auto Services Discount Club, ASDC and TTG Financial
 The Tungsten Group II, Inc., d/b/a American Savings Discount
 Club and ASDC
 Robert J. Demellweek, individually and as an officer of Tungsten
 Group and Tungsten Group II
 David Vincent Jensen, individually and as an officer of Tungsten
 Group II

Assigned Attorneys: Steven Balster (ECR)
 Brinley Williams
 Jon Steiger
 Jonathan Kessler

Alleged Conduct: (Operation Ditch the Pitch) Deceptive practices in violation of
 Section 5 and the Telemarketing Sales Rule in connection with the
 operation of an advance-free loan scam.

Status: Complaint filed and TRO with asset freeze and appointment of a
 receiver entered 10/15/01.
 Stipulated order extending TRO entered 10/25/01.
 2nd stipulated order extending TRO entered 10/31/01.
 3rd stipulated order extending TRO entered 11/8/01.
 Stipulated preliminary injunction with asset freeze and receiver
 entered 12/3/01.

FTC v. U.S. INFORMATION CENTER, INC., No. CV 01-1786 R (CTx) (C.D. Cal.)

Parties: US Information Center, Inc., d/b/a U.S. Information Center
United Labor Services, Inc., d/b/a U.S. Labor Services
Alfred Daniel Chandler, also d/b/a National Information Service
Randall Glenn Bement

Assigned Attorneys: Guy G. Ward (MWR)
William J. Hodor
Amy Brothers (WR-LA)

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the marketing and sale of employment goods and services.

Status: Complaint filed and ex parte TRO with asset freeze and receiver entered 2/26/01.
First amended complaint adding Randall Glenn Bement, Chief Financial Officer of US Information Center, Inc., as a defendant filed 5/14/01.
Receiver's motion to liquidate assets of the receivership estate granted 5/15/01.
Defendants' motion for summary judgment denied 5/17/01.
Default as to defendant Randall Glenn Bement entered 8/17/01.
Stipulated final judgment and order for permanent injunction and other equitable relief as to defendants US Information Center, Inc., United Labor Services, Inc. and Alfred Daniel Chandler entered 12/27/01.

FTC v. VERITY INTERNATIONAL, LTD., No. 01-6130 (2d Cir.); No. 00 CIV 7422
(S.D.N.Y.)

Parties: Verity International, Ltd.
Automatic Communications Limited
Integretel, Inc.
Ebillit, Inc.
Robert Green
Marilyn Shein

Assigned Attorneys: Lawrence Hodapp (BCP/MP)
David M. Torok
Marilyn E. Kerst (OGC)

Alleged Conduct: Deceptive and unfair practices in violation of Section 5 in connection with the billing of international calls over the Internet.

Status: Complaint filed and ex parte TRO entered 10/2/00.
Opinion granting preliminary relief entered 12/14/00.
Preliminary injunction entered 1/4/01.
Application for an order to show cause why defendants R. Green and M. Shein should not be held in civil contempt filed 1/31/01.
Second amended complaint adding defendant Automatic Comm. Ltd. filed 2/27/01.
Opinion holding defendants R. Green and M. Shein in civil contempt and ordering fines, arrest, and civil commitment, 5/1/01.
Cross-motion to partially vacate or modify preliminary injunction order filed 3/27/01; denied 5/14/01.
Motion to modify preliminary injunction, including its extension to ACL, filed 4/3/01; granted in part 5/14/01.
Notice of appeal of order denying motion to vacate or modify preliminary injunction by defendants Verity International, Robert Green and Marilyn Shein filed 6/8/01.

FTC v. WESTERN DIETARY PRODUCTS CO. (SKOOKUM), No. C01-0818R (W.D. Wash.)

Parties: Western Dietary Products Co. (Skookum), d/b/a Western Herb & Dietary Products, Inc.
Marvin Beckwith
Miguelina Beckwith

Assigned Attorneys: Michael Milgrom (ECR)
Brinley Williams
Nadine S. Sampter (NWR)

Alleged Conduct: Deceptive practices and false advertising in violation of Sections 5 and 12 in connection with the marketing and sale of herbal remedies and treatments.

Status: Complaint filed 6/4/01.
Preliminary injunction entered 6/14/01.
Stipulated final order filed and entered 12/2/01.

FTC v. WESTERN UNITED SERVICE CORP., No. CV00-11324 GAF (CWx) (C.D. Cal.)

Parties: Western United Service Corp., d/b/a Titan Business Solutions
Scott Ford
Anthony Smith

Assigned Attorneys: Jennifer Larabee (WR-LA)
Amy Brothers
Kenneth Abbe

Alleged Conduct: Deceptive practices in violation of Section 5 in connection with the promotion and sale of medical billing employment opportunities.

Status: Complaint filed and ex parte TRO with asset freeze and receiver entered 10/25/00.
Hearing held and preliminary injunction granted 11/3/00.
Default against Titan filed 3/2/01; entered 3/2/01.

FTC v. ZUCCARINI, No. 01-CV-4854 (E.D. Pa.)

Parties: John Zuccarini, individually and d/b/a Cupcake Party, Cupcake-Party, Cupcake Parties, Cupcake-Parties, Cupcake City, Cupcake Patrol, Cupcake-Patrol, Cupcake First-Patrol, Cupcake Show, Cupcake-Show, Cupcake Shows, Cupcake-Shows, Cupcake Parade, Cupcake-Parade, Cupcakes, Cupcake Confidential, Cupcake-Movies, Cupcake Real Video, The Cupcake Incident, The Cupcake Secret, Cupcake Message, Cupcake Messenger, The Country Walk, JZ Design, and RaveClub Berlin

Assigned Attorneys: Marc Groman (BCP/MP)
Karen Leonard

Alleged conduct: Deceptive practices in violation of Section 5 in connection with diverting consumers away from their intended Internet destinations and then trapping them with a barrage of online advertisements.

Status: Complaint for permanent injunction and other equitable relief filed 9/25/01.
Ex parte TRO entered 9/25/01.
Preliminary injunction filed 10/19/01.

CIVIL PENALTY AND ENFORCEMENT CASES¹

(A) Consumer Protection

UNITED STATES v. ALPINE INDUSTRIES, INC., Nos. 01-5759, 00-5553 (6th Cir.); No. 2:97-CV-509 (E.D. Tenn.)

Parties: Alpine Industries, Inc.
William J. Converse

Assigned Attorneys: Elena I. Paoli (BCP/ENF)
Michele Arington (OGC)
Elizabeth Stein (DOJ/CIV)
Peter R. Maier

Nature of Action: Action for civil penalties, injunctive and other relief for violations of prior FTC consent order.

Status: Complaint filed 12/30/97.
United States motion for partial summary judgment filed 6/30/99.
Trial began 9/29/99.
Jury ruling in favor of United States entered 11/1/99.
Interim injunction incorporating jury verdict entered 1/12/00.
Defendants' motion to dissolve interim injunction filed 2/11/00;
opposition filed 2/28/00; motion denied by order entered 4/10/00.
Notice of appeal from 4/10/00 injunction filed 4/28/00.
Motion for an order to show cause why defendants and non-parties who aided them in violating the injunction should not be held in civil contempt filed 4/11/00; opposition filed by defendants, 5/1/00; opposition filed by non-parties, 6/9/00; United States reply filed 6/19/00; settlement resolving contempt issues filed and entered 9/12/00.
Defendants' motion in district court for stay of 4/10/00 injunction pending appeal filed 5/3/00; opposition filed 5/22/00; motion denied by order entered 6/7/00.
Defendants' motion in court of appeals for stay pending appeal filed 7/21/00; opposition filed 7/28/00; defendants' reply filed 8/8/00; motion denied without prejudice 8/14/00.
Defendants' brief (on appeal from preliminary injunction) filed 10/30/00.
United States' brief filed 12/6/00.

¹ Includes all suits in which civil penalties are sought; consumer redress, injunctions, and ancillary equitable relief may also be sought.

Defendants' reply filed 12/20/00.
Penalties portion of civil penalties trial held 1/16-1/23/01.
Final judgment with \$1.49 million in civil penalties entered 4/5/01.
Defendants' notice of appeal (No. 01-5759) from final judgment filed
6/15/01.
Motion to dismiss defendants' appeal of preliminary injunction granted
6/18/01.
Appellant's brief (on appeal from final judgment) filed 9/4/01.
United States' brief filed 11/28/01.

UNITED STATES v. BRAKEGUARD PRODUCTS, INC., No. C01-686P (W.D. Wash.)

Parties:	Brake Guard Products, Inc. Brake Guard LLC (Nev.) Brake Guard LLC (Wash.) Ed F. Jones, a/k/a Ellsworth F. Jones Lawrence H. Jones
Assigned Attorneys:	J. Reilly Dolan (BCP/ENF) Allan Gordus (DOJ/CIV) Brian Kipnis
Nature of Action:	Action for civil penalties, injunctive and other relief for violations of Commission's cease and desist order, and for deceptive practices in violation of Section 5 in connection with the marketing and sale of motor vehicle braking systems.
Status:	Complaint and motion for preliminary injunction filed 5/11/01. Defendant Ed Jones' dismissal from case due to his death 7/1/01. Order granting leave to serve Larry Jones by publication entered 12/4/01.

FTC v. CAPELL, No. 01-CV-5740 (E.D. Pa.)

Parties: George L. Capell

Assigned Attorney: David M. Newman (WR-SF)

Nature of Action: Action for civil penalties, injunctive, and other relief for violations of Section 5 and the Mail Order Rule in connection with the shipping of computer systems and the availability of rebates.

Status: Complaint for civil penalties, injunctive, and other relief filed 11/14/01.
Consent decree and order for injunctive and other relief filed 11/14/01;
entered 11/16/01.

UNITED STATES v. CONVERSE, No. 01-CV-212 (E.D. Tenn.)

Parties: William J. Converse
Eva J. Converse
BRGC, Inc.
Michael J. Jackson
Ecoquest International, Inc.
Conjack Enerprises, LLC
Best Investments, Inc.
Environmental Health Services, Inc.
Environmental Health Services, Inc.
Alpine Technologies, Inc.

Assigned Attorneys: Elena I. Paoli (BCP/ENF)
Elizabeth Stein (DOJ/CIV)

Nature of Action: Action to collect federal debt of \$1.49 million in civil penalties under the Federal Debt Collection Procedures Act.

Status: Complaint filed 7/23/01.
Answer filed 10/12/01.

UNITED STATES v. LISA FRANK, INC., No. 01-15-16A (E.D. Va.)

Parties: Lisa Frank, Inc.

Assigned Attorneys: Janet Evans (BCP/AP)
Elizabeth Delaney

Nature of Action: Action for civil penalties and injunctive relief for violations of the Child Online Privacy Protection Act and rule in connection with the operation of www.lisafrank.com.

Status: Complaint filed 10/1/01
Consent decree and order for civil penalties, injunctive and other relief filed 10/1/01; entered 10/3/01.

FTC v. MEGA SYSTEMS INTERNATIONAL, INC., No. 98C 8009 (N.D. Ill.)

Parties: Mega Systems International, Inc.
Jeffrey Salberg

Assigned Attorneys: Karen Dodge (MWR)
John Hallerud

Nature of Action: Action for civil penalties and other relief, for violation of FTC consent order requiring, inter alia, payment of \$500,000 for consumer redress.

Status: Complaint and motion for preliminary injunction filed 12/15/98.
Motion for default filed 4/21/99; entered 4/30/99.
Salberg filed for bankruptcy, 4/30/99.
Adversary complaint filed by the Commission, 8/3/99.
Motion to dismiss adversary complaint filed by Salberg, 6/20/00;
Commission's opposition filed 7/14/00; motion denied 9/6/00.
Motion for summary judgment against Salberg filed in bankruptcy court, 11/30/00.
Cross-motion for summary judgment by defendant Salberg filed 12/29/00; denied 3/6/01.

UNITED STATES v. PET EXPRESS, INC., No. 01-1844-A (E.D. Va.)

Parties: Pet Express, d/b/a epet.net, LLC
Jonathan Kroeger

Assigned Attorney: Joel Brewer (BCP/ENF)

Nature of Action: Action for civil penalties, injunctive and other relief for violations of Section 5 and the Mail or Telephone Order Merchandise Rule in the sale of pet food ordered for serial delivery.

Status: Complaint for civil penalties, injunctive and other relief filed 12/6/01.
Consent decree and order for injunctive and other relief filed 12/6/01;
entered 12/11/01.

UNITED STATES v. SMITH, No. 01-10962 NM (PJWx) (C.D. Cal.)

Parties: Charles Smith
Damien Smith
Kymberli Smith, individually and d/b/a Salesco

Assigned Attorney: Joel Brewer (BCP/ENF)

Nature of Action: Action for civil penalties, injunctive and other relief for violations of Mail or Telephone Order Merchandise Rule in the sale of aftermarket automobile accessories.

Status: Complaint for civil penalties, injunctive and other relief filed 12/19/01.
Consent decree and order for injunctive and other relief filed 12/19/01;
entered 12/27/01.

(B) Competition

UNITED STATES v. BOSTON SCIENTIFIC CORP., No. 00 CV 12247 (D. Mass.)

Party: Boston Scientific Corporation

Assigned Attorneys: Anne R. Schenof (BC/COMP)
Kenneth A. Libby
Anita Johnson (AUSA)
Susan Strawn (DOJ/CIV)

Nature of Action: Action for civil penalties, injunctive and other relief for violations of prior FTC consent order.

Status: Complaint filed 10/31/00.
Motion to dismiss by defendant filed 11/29/00.
Opposition and cross-motion for summary judgment filed 2/9/01.
Defendant's reply on its motion to dismiss and opposition to plaintiff's motion for partial summary judgment filed 4/6/01.
United States' reply to defendant's opposition to its motion for partial summary judgment filed 5/21/01.
Oral argument on defendant's motion to dismiss and United States' cross-motion for partial summary judgment held 6/21/01.
Order granting in part government's motion for partial summary judgment entered 9/28/01.
Order granting summary judgment in part (on counts 1 and 5) and denying in part (on counts 2 through 4) entered 10/3/01.
Answer to complaint filed 10/15/01.
Motion for reconsideration as to count 5 filed 10/16/01.
Opposition to motion to reconsider filed 10/30/01.
Motion for leave to reply to motion for reconsideration filed 11/7/01.

SUBPOENA AND CID ENFORCEMENT PROCEEDINGS¹

FTC v. GLAXOSMITHKLINE, No. 01-5391 (D.C. Cir.); No. 1:01MS00163 (RCL) (D.D.C.)

Parties: GlaxoSmithKline

Assigned Attorneys: Melvin H. Orlans (OGC)
Randy Marks (BC)
Gary Schorr
Seth Silber

Nature of Action: Subpoena enforcement.

Status: Petition filed 4/18/01.
Stipulation bifurcating proceeding into issues raised by specification 12 of subpoena and issues raised by specifications 1-11 filed 4/20/01; ordered by court 4/21/01.
Order enforcing specification 12 entered 6/12/01.
Commission's motion for compliance with specifications 1-11 filed 8/17/01.
Motion for compliance with Specifications 1-11 filed 8/20/01.
Defendant's opposition filed 9/10/01.
Decision enforcing Specifications 1-11 in their entirety entered 10/9/01.
District court order denying defendant's motion for stay pending appeal entered 11/5/01.
Court of appeals order granting motion for stay pending appeal entered 12/27/01.
Appellant's brief due 1/11/02.
Appellee's brief due 2/8/02.

¹ Includes suits to enforce compliance with waiting periods prescribed by Section 7A of the Clayton Act, 15 U.S.C. § 18a.

FTC v. THE KEN ROBERTS COMPANY, No. 00-5266 (D.C. Cir.); No. 00-204JR (D.D.C.)

Parties: The Ken Roberts Company
 The Ken Roberts Institute

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Action to enforce civil investigative demands.

Status: Petition and order to show cause filed 4/6/00.
 Order requiring compliance with CIDs entered 5/26/00.
 Notice of appeal filed 7/24/00.
 Appellant's brief filed 5/23/01.
 Commission's brief filed 6/22/01.
 Appellant's reply filed 7/10/01.
 Oral argument held 10/4/01.
 Affirmation of district court's order entered 12/28/01

SUITS TO ENJOIN FTC ACTION AND OTHER DEFENSIVE LITIGATION

FEDERAL TRANSTEL, INC. v. ADVANCED WEB SOLUTIONS, INC., No. 2001CV38216
(Ga. Super.Ct.)

Parties: Advanced Web Solutions, Inc., f/k/a Web Valley, Inc., f/k/a Profile
National Business Directory, Inc. (co-defendant)
Federal Trade Commission (co-defendant)

Assigned Attorneys: Rolando Berrelez (MWR)
Alonzo H. Long (AUSA)
Joan Humes (AUSA)

Nature of Action: Action for declaratory judgment and money damages following a
settlement agreement between the Advanced Web Solutions, Inc. and the
Commission, attempting to enjoin the Commission from collecting assets
held by the plaintiff. Plaintiff claims defendant breached a contract by
signing the rights of the assets over to the Commission.

Status: Complaint filed 5/22/01.
Defendant's notice to remove case to federal court filed 7/19/01.
Defendant's motion to dismiss or, alternatively, for change of venue filed
8/17/01.

NORTH AMERICAN BROADCASTING, LLC v. FTC, No. CV-00-10421 AHM (RCx) (C.D.
Cal.)

Parties: North American Broadcasting, LLC (plaintiff)
Brian Moldo (co-defendant)

Assigned Attorney: Lawrence DeMille-Wagman (OGC)

Nature of Action: Action under 42 U.S.C §§ 1983 and 1988 to secure monetary relief for
alleged violations of plaintiff's due process and other constitutional rights.

Status: Complaint filed 9/28/00.
Stipulated agreement to stay proceedings for six months filed 1/9/01;
entered 1/11/01.
Order continuing stay entered 6/18/01.

R.J. REYNOLDS v. FTC, No. 01-0623 (D.D.C.)

Parties: R.J. Reynolds Tobacco Company

Assigned Attorney: Leslie R. Melman (OGC)

Nature of Action: Action to compel the production of documents under FOIA.

Status: Complaint filed 3/21/01.
Answer filed 5/4/01.

TANKERSLEY v. FTC, No. 2:01-cv-288-RL (N.D. Ind.); No. 01-8116-CIV-Zloch (S.D. Fla.);
No. CL-01-0961-AE (Fla. Cir. Ct.)

Parties: William H. Tankersley (plaintiff)
Linda S. Tankersley (plaintiff)
J. Brian Hittinger (co-defendant)

Assigned Attorney: Gregory Ashe (BCP/ENF)

Nature of Action: Action for declaratory judgment by two defendants in *FTC v. Think Achievement*, alleging exemptions from asset collection under Florida law and seeking an injunction against the receiver in *Think Achievement* from collecting on such assets.

Status: Complaint filed in Florida Circuit Court, 1/26/01.
Case removed to the U.S. District Court, S.D. Fla., 2/8/01.
Commission's motion to dismiss or, in the alternative, transfer to the N.D. Ind. filed 2/27/01.
Court granted in part and denied in part Commission's motion entered 4/5/01; case transferred to N.D. Ind.
Commission's motion for partial judgment on pleadings filed 6/28/01.
Motion for partial judgment on pleadings granted 8/8/01.

TRANS UNION v. FTC, Nos. 01-5202 (D.C. Cir.); Nos. 00-2087; 00-1828 (ESH) (D.D.C.)

Parties: Individual Reference Services Group, Inc. (plaintiff)
Trans Union LLC (plaintiff in consolidated action)
Board of Governors of the Federal Reserve System (co-defendant)
Federal Deposit Insurance Corporation (co-defendant)
Office of the Comptroller of the Currency (co-defendant)
Office of Thrift Supervision (co-defendant)
National Credit Union Administration (co-defendant)
Securities and Exchange Commission (co-defendant)

Assigned Attorneys: Michael Bergman (OGC)
Lawrence DeMille-Wagman
John F. Daly

Nature of Action: Actions under the Administrative Procedure Act for review of the Commission's rules implementing the privacy provisions of the Gramm-Leach-Bliley Act.

Status: IRSG complaint filed 7/28/00.
Trans Union complaint filed 8/30/00.
Defendant Agencies' motion to transfer case to the D.C. Circuit and consolidate with parallel litigation filed 9/21/00.
Notice of voluntary dismissal of SEC filed by IRSG, 9/15/00.
Opposition to motion to transfer filed 10/5/00.
Motion denied 10/24/00.
Answer filed 10/24/00.
Motions for summary judgment filed by IRSG and Trans Union, 11/1/00.
Agencies' motion to consolidate civil action 00-2087 (*Trans Union, LLC v. FTC*) with this action, filed 11/22/00; granted 11/29/00.
Opposition and cross-motion for summary judgment by defendant agencies filed 12/15/00.
Response and reply briefs on cross-motions for summary judgment filed by IRSG and Trans Union, 1/12/01.
Agencies' reply memorandum in support of cross-motion for summary judgment filed 2/2/01.
Order granting agencies' motion for summary judgment entered 4/30/01.
IRSG's notice of appeal filed 5/25/01.
IRSG's motion for injunction pending appeal filed 5/25/01.
Agencies' opposition to motion for an injunction pending appeal filed 6/5/01.
Trans Union's notice of appeal filed 6/5/01.
District court order in 00-1828 denying plaintiff IRSG's motion for injunction pending appeal entered 6/6/01.
IRSG's motion in court of appeals for injunction pending appeal filed

6/11/01; agencies' opposition filed 6/19/01.
Order consolidating petitions for review and direct appeals entered
6/21/01.
Order denying emergency motion for injunction pending appeal entered
6/28/01.
Order granting appellant's/petitioners' consent motion to dismiss petitions
for review in 00-1289, 00-1335, 00-1336, 00-1337, 00-1338, 00-
1339, 00-1340 and 01-5175 voluntarily, and vacating consolidation
of 01-5202 with other cases, filed 8/1/01.
Order granting Trans Union's emergency motion to vacate the expedited
briefing schedule in 01-5202 filed 8/7/01.
Trans Union's brief filed 12/6/01.
Agencies' brief due 1/10/02.
Oral argument scheduled for 5/3/02.

AMICUS CURIAE BRIEFS or PARTIAL INTERVENTIONS

MINNESOTA v. FLEET MORTGAGE CORP., No. 01-CV-48 ADM/AJB (D. Minn.)

Assigned Attorney: Rachel Dawson (OGC)
John F. Daly

Nature of Action: Motion to dismiss a complaint filed by the State of Minnesota alleging violation of Telemarketing Sales Rule by a subsidiary of a national bank with respect to the marketing of membership programs, arguing lack of jurisdiction over subsidiary of bank.

Status: Amicus brief supporting plaintiff state's assertion of jurisdiction filed 9/6/01.
Defendant's reply to amicus brief filed 9/24/01.
Order denying motion to dismiss entered 12/21/01.

NELSON v. CHASE MANHATTAN MORTGAGE CORPORATION, No. 00-15946
(9th Cir.)

Assigned Attorney: John F. Daly (OGC)

Nature of Action: Appeal from the dismissal of a complaint alleging violations of the Fair Credit Reporting Act.

Status: Amicus brief supporting appellant and urging reversal of the dismissal filed 7/21/00.
Appellee's brief filed 8/30/00.
Reply brief filed 9/23/00.
Argument scheduled for 1/16/02.

TRW, INC. v. ANDREWS, No. 00-1045 (S. Ct.)

Assigned Attorneys: Lawrence DeMille-Wagman (OGC)

Nature of Action: Seeking reversal, on writ of certiorari, of decision of the 9th Circuit holding that the statute of limitations for private causes of action under the Fair Credit Reporting Act begins to run when the plaintiff learns of the injury.

Status: Joint amicus brief by United States and the Commission in support of respondent filed 6/30/01.
Oral argument held 10/9/01.
Judgment of Court of Appeals for Ninth Circuit reversed 11/13/01.